

University of Michigan Law School
University of Michigan Law School Scholarship Repository

Res Gestae

Law School History and Publications

1976

January 23, 1976

University of Michigan Law School

Follow this and additional works at: http://repository.law.umich.edu/res_gestae

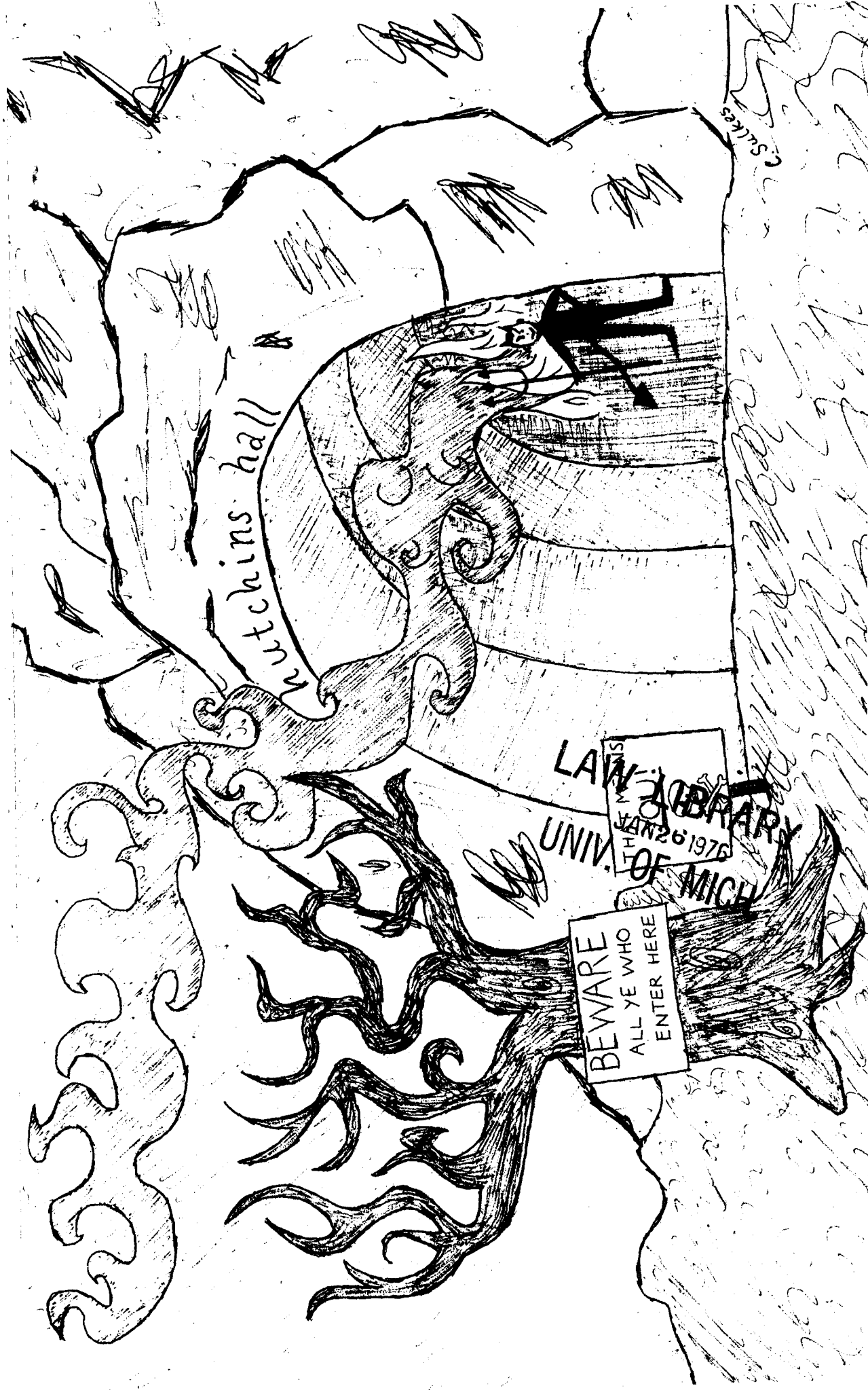


Part of the [Legal Education Commons](#)

Recommended Citation

University of Michigan Law School, "January 23, 1976" (1976). *Res Gestae*. Paper 657.
http://repository.law.umich.edu/res_gestae/657

This Article is brought to you for free and open access by the Law School History and Publications at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Res Gestae by an authorized administrator of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.



THE LAW SCHOOL WEEKLY

JAN. 23, 1976

RES GESTAE

UNIVERSITY OF MICHIGAN

ANN ARBOR

MC
88
W
f

The Docket

TUES

GENERAL MEETING WOMEN LAW STUDENTS ASSOCIATION

Tuesday, January 27th, 12:00 Noon in the
Women's Lounge

There will be a very important W.L.S.A.
meeting next Tuesday at noon. We'd like to
see as many new (and veteran) faces there
as possible.

Several Topics will be discussed, including:

--Details about the Seventh National
"Women and the Law" Conference and the
"Women's Assembly", both scheduled for
March 1976. (See the separate articles in
this issue of RG). Transportation arrange-
ments will also be discussed.

--A final decision regarding submission of
a bid for U of M W.L.S.A. sponsoring of the
next (1977) National Conference.

--Plans for the Second Annual U of M Susan
B. Anthony Birthday Party. The potluck
supper, a huge success last year, is
scheduled for the evening of February 15th.

--Initial plans for next year's Alumnae-
Student Conference, and the updating of the
Alumnae Directory.

--The Recruitment Committee's report on
last term's efforts to increase the number
of women applicants and enrollees in the
law school, and plans for next year's
recruitment trips and conference.

--Miscellaneous news and announcements.

We are eager to hear all comments and
suggestions, so please bring your bag
lunch or Lawyer's Club tray and join us
Tuesday.

W.L.S.A. Steering Committee

FOREIGN STUDY FELLOWSHIP OPPORTUNITIES

The Student International Law Socy.
has arranged a lunch-time meeting for
Tuesday, January 27, 1976 at which
Mrs. Mary Gomes will talk about the
several possibilities which exist in
foreign study fellowship opportunities.
The bulk of these must be applied for no
later than the Fall of the senior year,
becoming effective approximately 10-12
months later for a year abroad. It is
necessary for students to refurbish a
"rusty" command of foreign language,
have taken related courses/seminars and
have planned their research topic (if
this is a requirement) before that time.
The discussion will cover a number of
geographic and language areas, and will
include advice about Fulbright-Hays and
similar fellowship competitions. All
interested students are welcome. Bring
your own bag lunch if you wish.

TIME/PLACE: Lawyers' Club/Faculty
Dining Room, at 12:10 pm.
(Lunch-time) Jan. 27, 1976.

NOTICES

January 19, 1976

TO: The Faculty

FROM: Dean Theodore J. St. Antoine

RE: L. Hart Wright

Over the weekend Hart Wright came down with
a perforated ulcer, which required immediate
surgery. There was no connection with his
heart condition, and he apparently came
through the operation in fine shape. He is
at St. Joseph Mercy Hospital, but is still
in intensive care and thus not receiving
visitors.

Convalescence will take at least a month or
so. In view of the uncertainty about just
when Hart will be ready to teach again, Doug
Kahn has generously agreed to give up his
sabbatical this term and take over Hart's
course.

Notices cont'd on p. 3

FACULTY-STUDENT PROGRESSIVE DINNER

The Law Spouses Association cordially invites all law students and their guests to attend the annual Faculty-Student Progressive Dinner to be held on Saturday, Feb. 7.

The Progressive Dinner will consist of four courses: cocktails/hors d'oeuvres, salad, main course, and dessert. For the initial three courses the group will be divided into a number of smaller groups, with each small group being hosted by one of its members. For each course the make-up of the small groups and the persons hosting the course will be different. Thus, during the course of the evening one will eat at three different individuals' homes and will have an opportunity to be with many different members of the faculty and student body.

As a finale to the evening the entire group will meet at the Lawyer's Club for dessert. (Individuals not hosting a course will be asked to bring a dessert.)

Reservations should be made by January 28. To make a reservation or to obtain more information, please call:

Deb Bruemmer 763-6221
or
Karen Cooper 761-0238

GRADUATING SENIORS

Attention graduating seniors and their friends. Announcing the first of fifteen weekly meetings of the Law School's newest and least exclusive honorary society, THE ORDER OF THE QUAFF! Let us reactivate ourselves to life on the outside, reactivate our tolerance for high octave living, and learn how to handle ourselves in the executive washroom. The pressure is oh: who gives a shit! Come share the feelings of relief at Fraser's Pub Thursday nights from nine to closing.

Lubricate the slippery slope of law school's last semester with sessions of suds and insobriety.

Robin (Wilbo) Whitley
J. Rion (Boo) Bourgeois
Nick (J.D.) Unkovic
Board of Directors

THE WOMEN'S ASSEMBLY

March 26-27, 1976. Lansing Civic Center

This two-day, state wide event is designed to provide women with an in-depth look at how the legislative process works, and methods for influencing it.

Workshops and special features will run the gamut from the basics (e.g., how to write your legislator) to the more sophisticated (e.g., how to interpret the new political reform law). Legislators, state office holders and party leaders will be at the Assembly to serve as resource people and to answer questions.

More details as to specific workshops and participants will be announced when available - keep checking your RG and the W.L.S.A. Newsletter.

ANNOUNCING:

The Seventh National "Women and the Law" Conference

The Seventh National "Women and the Law" Conference is going to be held at Temple University Law School in Philadelphia this year, March 12-14, 1976.

Registration is \$15.00 (plus \$9.00 banquet fee, if desired) if you register by Feb. 1 transportation by car and air is being arranged. Round trip air fare (leaving Friday morning with an open return) from Metro Airport will be \$73.74.

Over 55 "skills-oriented" workshops are being offered, covering such diverse areas as: Credit, Housing, Insurance, Tax, Employment, Affirmative Action, Title VII Strategy, Family Law, Women in Institutions, Setting Up Your Own Law Office, Life as a Law Student, Trial Practice, Rape, Family Abuse, How to Set Up Your Own Business, Gay Rights, Law Reform, Prostitution, Rights of Elderly Women, Title IX, Welfare, and Lobbying Techniques.

Arrangements can be made for free housing with Temple Law Students.

Registration forms and further information will be available at the W.L.S.A. general meeting on Tuesday, or contact Nancy Bosh at 455-1113.

AMERICAN BAR ASSOCIATION

TO: Law School Deans
Student Bar Association Presidents
Law Student Division Representatives
Law Student Division Circuit Governors
Law School Newspapers

FROM: Law Student Division

SUBJECT: Law School Services Fund Program

One of the activities of the ABA Law Student Division for the 1975-76 school year will be the Law School Services Fund Program. The Law Student Division has approximately \$30,000 which will be allocated via this program on a matching fund grant basis to law school projects. By means of these grants, the Division expects to encourage the expansion of student projects by law schools and organized student bar associations.

In past years the Law Student Division, through this program, was able to materially aid such projects as: minority recruitment projects, a national environmental conference legal aid clinics, speakers programs, legal services to federal inmates, consumer education and legal aid programs, a symposium of Indian legal problems, Model Court Rule projects, and a juvenile probation program.

Application deadlines are as follows and will be strictly enforced:

<u>Dates</u>	<u>Types of Application</u>
Feb. 2, 1976	Spring Semester Projects
March 12, 1976	One Day Projects

All the information that is necessary to apply for a grant may be obtained at the Res Gestae Office, in Room 102-A L.R. If no one is there, simply put your name and phone number on a piece of paper and slide it under the door. In applying for funds, make certain that all the required information is included in the proper form and the necessary forms are postmarked by the deadline: the original and one copy to the Law Student Division and one copy to the circuit governor. If inaccurate or incomplete information is included, this will cause unnecessary delays, and will severely limit the opportunity for approval of funds.

Law Review

ANN ARBOR---Legislation, constitutional issues and legal cases dealing with the question of public access to government information, and the countervailing question of individual privacy, are examined in a detailed, 369-page study in the Michigan Law Review, a publication of The University of Michigan Law School.

Titled "Project: Government Information and the Rights of Citizens," the study was begun last year in an effort to provide comprehensive background material for use by lawyers, journalists and others involved in the privacy question.

"The study is basically descriptive and meant to serve as a research tool," notes Robin Neuman, editor-in-chief of the Michigan Law Review. Serving as editor of the project was Erica Ward, who has graduated from the U-M Law School and now works with a law firm in Washington, D.C. About 15 other law students participate in the project as researchers and editors.

Among other things, the Law Review examines the government classification system; the issue of executive privilege; the Freedom of Information Act which was amended last February; state and proposed federal "open meeting" laws; constitutional right to privacy; and the Privacy Act of 1974.

In general, says the study, "few aspects of government-citizen relations are more central to the responsible operation of a representative democracy than the citizen's ability to monitor governmental operations."

Regarding the government's system of classifying certain information, the Law Review study recommends a number of changes, including elimination of needless classifications and establishment of an independent review authority to oversee classification procedures.

It also warns that, until Congress enacts a comprehensive open-meeting act, federal administrative agencies can continue to conduct a significant part of their activities in private.

On the issue of personal privacy, the Law Review notes that broad constitutional protections were supplemented by the federal

Cont'd. on pg. 5

cont'd. from pg. 4

Privacy Act of 1974, which restricts information gathering activities of federal agencies. Among other things, the act authorizes agencies to collect only relevant and necessary information; permits individuals to have access to personal records; and requires publications of the existence and characteristics of all personal information systems kept by federal agencies.

Copies of the Law Review study may be obtained for \$5 from the Business Manager, Michigan Law Review, University of Michigan Law School, Hutchins Hall, Ann Arbor, Michigan 48109.

ABA EXPECTED TO DELIBERATE LAWYER ADVERTISING AT PHILADELPHIA MIDYEAR MEETING
FEB. 12-17

CHICAGO, January 18 -- Amid increasing litigation and stepped-up bar inquiry and debate, the issue of lawyer advertising appears headed for a formal airing on the floor of the American Bar Association's House of Delegates during the Feb. 12-17 ABA midyear meeting in Philadelphia.

At issue are the traditional restrictions on legal advertising contained in the ABA Code of Professional Responsibility, which are followed in most states.

If a formal recommendation on modifying the barriers to lawyer advertising comes before the policy-making House of Delegates, it will be the result of a year-long investigation and discussion by the Association's Standing Committee on Ethics and Professional Responsibility. Undertaken at the request of ABA President Lawrence E. Walsh, New York City, after the Goldfarb decision last June, the committee's inquiry included public hearings for consumer and organized-bar spokesmen.

WANTED ! A reader to assist blind law student with caseclub research. I am offering \$2.00 per hour for each reader, and would prefer second or third year student since all other first year students have their own caseclub assignments. However, I will also consider inquiries from first year students. Please call Linda Hunt at 665-6926 for further information.

LAW STUDENT DIVISION
American Bar Association

YLS ENVIRONMENTAL QUALITY COMMITTEE'S
NATIONAL CLEARINGHOUSE PROJECT

The YLS Environmental Quality Committee is interested in student assistance in its National Clearinghouse program. Participants are asked to examine the environmental laws of their state and projects of their state and local bar associations to determine if there are any innovative approaches to environmental law-related problems which would be worthwhile to publish in materials published by the YLS. Volunteers are particularly needed in Alaska, Arkansas, Idaho, Kansas, Maine, Mississippi, North Dakota, South Dakota, West Virginia, and Wyoming. At this time, the YLS does not have committee members in those states, and students are invited to handle the study.

Contact: Michael J. Jacobs, Commander (d1)
12th Coast Guard District
630 Sansome Street
San Francisco, California 94126

The Frederick Douglas National Moot Court
Competition

Any two persons who are members of Balsa, La Raza, or AILSA, and attend school in the same Balsa region may form a team and participate in the Frederick Douglas Competition. Participants will argue on a question of concern to minority and humanistic lawyers: school desegregation. In both a careful critiquing of the briefs and evaluation of arguments, emphasis in Frederick Douglas will be on preparing the minority law student for a litigation-laden practice. Briefs are due on March 1, 1976, and the National Competition will take place on April 17, 1976 in Washington, D.C. For further information, please contact:

Cynthia Stephens
National Vice Chairperson, Balsa
Emory University School of Law
Atlanta, Georgia

ABA Offers Film On Lawyer Advertising

"Lawyer Advertising: A Report To The Bars," a 70-minute, 16 MM color film, narrated by ABA President Lawrence Walsh, is now available for loan. It is designed to identify all ramifications of the question of lawyer advertising and to provide as many view-

cont'd. on pg. 6

con't. from pg. 5

points on the issue as possible. The film features edited highlights of the Conference on Lawyer Advertising sponsored by the ABA in December of 1975, and includes excerpts of testimony from representatives of consumer groups and the legal profession at hearings held by the ABA Standing Committee on Ethics and Professional Responsibility. The film examines legal implications of current restrictions against lawyer advertising, including antitrust and First Amendment considerations. It also discusses the possible effects of lawyer advertising, delivery of legal services to the public, dissemination of fee information, specialization, and problems of regulation and solicitation. To obtain the film or three-quarter inch video cassette on a loan basis, a request listing a primary showing date and two alternative dates should be sent to:

Association-Sterling Films, Inc.
512 Burlington Avenue
La Grange, Illinois 60525

The request should also specify film or video cassette format.

LSD Membership Push

All LSD representatives should make an effort with the start of the new semester to encourage membership in the Law Student Division. If Reps need any materials or additional information, they should contact the Membership Department of the ABA, 1155 East 60th Street, Chicago, Illinois 60637.

THE WONDERFUL WORLD OF R.G.

Mickey Mouse.....Ken Frantz
Walt.....Tony Kolenic
Peter Pan.....Carol Sulkes
Pluto.....Larry Halperin
Goofy.....G. Burgess Allison
Minnie Mouse.....Dot Blair
Tinkerbell.....Howie Bernstein
Jiminy Cricket.....Ed Marod
Dumbo.....Malevolent Memo
Maker

alumnae conf.

Now that the first University of Michigan Law School Alumnae Conference is past, the question is: Should this be an annual event? If it is to be, the planning for the next one must begin this spring.

What was accomplished in the last conference that might be carried forward by a second one? Both alumnae and students who attended gained a dynamic sense of continuity and history. (Michigan was the first university law school to graduate a woman--Sarah Killgore in 1871) Who doubts that the law school has often been a very different place for men than for women? One 1960 alumna remarked in the lunch line that this was the first time she'd seen the inside of the Lawyers Club.

While standing in that same line, one of our oldest alumnae admitted that --Yes, as far as she knew, she had been the first woman dean of a United States law school.

We can't wait until you get out here, another alumna said. We need you. There aren't enough of us to accomplish much, yet.

During the formal part of the weekend, the alumnae talked to the students about their experiences as judges, politicians, in labor, criminal, corporate, legal aid and general practice law. There's scarcely a field that Michigan women haven't gone into. If all the panelists hadn't been women, you might have supposed that this was the alternative practices conference. It accomplished very similar goals, although it didn't get the same level of student support for lacking that label.

In addition to talking about their work, the alumnae talked about what it means to be a professional and a woman. There they were, ten or twenty years older--more sophisticated, wiser, better dressed, all very different people. One woman reporter who covered the weekend was surprised that women lawyers don't look like battleaxes, but she said that with a smile.

6 cont'd. on pg. 7

Cont'd. from pg. 6

Our keynote speaker, Rosemary Pooler, a top official in New York state government, told us what we'd be reading as the next moves in the New York City default game in the next week. Her talk, Making It Big, given with great comic timing was one of the hits of the weekend.

The students held up their end of the dialog with reports on new legal research on rape, life insurance, Title IX, Constitutional Law, and marriage contracts. Afterward, an alumna said that she had not words to express her pride in Michigan women. Their enthusiasm and knowledge and organization bode well for their ability to assume significant leadership roles.

For many alumnae it was the first time they felt this was really their school.

At Sunday brunch, the conference was analysed. Women set up panels all over the country to encourage applicants to choose Michigan; to foster an old girl system similar to the old boy system; and to plan for next year's conference. Next year will be a joint alumnae-student effort. Planning will begin soon. There should be input from the student body on speakers, topics and panels. A work commitment of only a few hours at most is all that is asked of those who want to work actively. You can give whatever time you can.

Come to the general women's meeting Tuesday January 28th to learn more about what women here are doing.

E. J. Dannin
for the Conference Committee

BOARD OF GOVERNORS

The Board of Governors is meeting tomorrow, Sat., Jan 24, 1976. Any students who wish matters brought to the attention of the Board should leave a note in either Jon Karp's or George Vinyard's box, outside the Lawyers Club desk by 5:00 PM today, Friday.

PETTY POETRY

From the pen of "Per" Stirpes

Today's selection, entitled "Ode to J.J." is to be sung to the tune of "On Top Of Old Smoky."

Oh say can you see him
He's there to behold
At 8 in the morning
In the military mold
He just had his head shaved
It's easy to see
The glare could be blinding
I think you'll agree
It's J.J. in person
Who's calling on me
He wishes an answer
I wish I could flee
My eyes darting sideways
I try hard to pass
This does not work with J.J.
He's simply hard-assed.
He levied a judgment
On me that day too
For the execution
A take-home is due
It will be a hard one
Especially for me
Oh tell me why did I
Opt for D and C?
I could have had Westin
For Criminal Law
I could just be sleeping
Or scratching my jaw
Instead I am running
To class in the dark
At 8 in the morning
This isn't a lark
I wish I were back in
The good days of yore
Sleeping in Torts class
Trying hard not to snore
But now I am fearful
Of missing a word
With a teacher like J.J.
A nap is unheard
So next time you see me
Try to understand
Why I seem so ~~weary~~ weary
So tired and bland
I sold ~~my~~ all my records
Gave up my TV
From now on I'll be reading
About D and C.

LAW SCHOOL STUDENT SENATE MINUTES
January 15, 1976

The meeting was called to order at approximately 6:00 p.m. in the Faculty Dining Room of the Lawyers Club. Present were: Pam Hyde, Jon Forman, George Vinyard, Otila Saenz, Jeanette Ramseur, Jon Karp, Sharon Williams, Bertie Butts, Carol Sulkes, Maryel Norris, Bruce Hiler, and Phyllis Rozof. The minutes of the last meeting were approved.

Lawyers Club Game Room

Art Mack, Director of the Lawyers Club, attended the Senate meeting in order to discuss the policy of locking the Lawyers Club at night (around 11:00 p.m.) and on weekends. Two robberies of the pinball machines in the game room led to the decision to limit access to these facilities to residents of the Quad at these times. This was done by changing the locks on the doors to locks worked by keys which students in the Club all have. Nonresident law students who wished to use these facilities after the doors were locked were allowed to check out a key at the Lawyers Club desk by depositing their I D cards. This has created problems for some students in then obtaining library books, etc.

It was proposed that, if feasible, the Lawyers Club set up a system whereby any nonresident law student could check out a key for a semester in return for a refundable deposit of \$5.00. A motion to this effect was offered by Jon Karp and passed with three members opposed on the ground that the deposit was too low.

Treasurer's Report

Because some student organizations have run up very large bills at the copy center and appear to have exceeded their budgets, Bertie Butts has instructed the copy center to refuse to accept any order under the student account number unless the requisition is signed by him (with the exception of copying ordered by the LSSS secretary).

LSSS Constitution

The last sections of the proposed new LSSS constitution were distributed by George Vinyard. Next week the Senate will spend the major part of its meeting considering the new by-laws.

Replacement for Deans Borgsdorf and Rivera

George Vinyard reported that both Charlie Borgsdorf and Rhonda Rivera were leaving the Law School in June and that it was likely that only one person would be hired to replace them. George added that he and Sharon Williams had discussed with Dean St. Antoine the fact that students would like to be actively involved in the selection of their replacement and that the dean supported this idea. George moved that:

1) the LSSS establish an ad hoc committee of at least three students to represent LSSS in the search for a new assistant dean to replace Dean Rivera and Dean Borgsdorf;

2) the LSSS publicize the currently planned changes in administration and the availability of positions on the ad hoc committee via the RES GESTAE, soliciting both applicants for committee membership and student suggestions for deanship candidates;

3) by January 29, 1976 the LSSS president appoint with Senate approval the committee members from among students expressing interest in response to the above publicity;

4) in making the appointments the president shall consider inter alia the following criteria: (a) familiarity with the current functions of the assistant deans, (b) familiarity with the administration of the Writing and Advocacy Program, (c) familiarity with the new student orientation program, and (d) availability for participation in on-campus interviews with candidates, including availability over spring break;

5) the committee and the Senate meet at least once for informal discussion directed toward discovering a consensus regarding primary criteria by which to evaluate candidates;

6) the Senate recommend to the administration that the committee members

cont'd. from pg. 8

be involved in both the initial screening of applicants' resumes and in conducting on-campus interviews.
The motion passed with no opposition.

Faculty Committees

Discussion was held concerning selection procedures for student members of the faculty curriculum committee and the faculty admissions policy committee.

President's Report

Pam Hyde reported the following items of interest:

- PIRGIM fee will be assessed by negative checkoff by mail. The PIRGIM fee will be assessed on each student's tuition, but he will be able to get a refund more easily this semester than last semester. A card will be sent to the student with his tuition bill. If the student desires that the PIRGIM fee be removed from his bill, he can fill out and return the card by mail. This is the system which was recommended by the LSSS.
- On February 7, 1976. the Law Spouses are having a progressive dinner. All faculty and students and their guests are invited. Marriage is not a prerequisite for attendance.
- Pam is meeting with students from Wayne, Cooley. and U of D Law Schools and Detroit College of Law. The Wayne students told her that 5 student representatives (nonvoting) and a newspaper reporter are allowed to attend Wayne faculty meetings.
- If a student becomes ill during the exam period and it is physically impossible for him to take a final exam, the student is completely at the professor's mercy. The professor has the power to give the student a grade of incomplete and to force the student to wait until the next time the course is taught to make up the final - which can be a full year. This problem will be discussed at a future meeting.

Kitchen Staff

It was moved by Jon Karp that the Senate thank Sherry Clifton and the Lawyers Club kitchen staff for all the help they've given in making LSSS social events successful. The motion passed unanimously.

Agenda for Next Week

1. National Lawyers Guild
2. La Raza
3. LSSS Constitution

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Phyllis Rozof
Phyllis Rozof

SEX IS NOT LEGAL TENDER

ST. PAUL, MINN.—A woman who paid a bill for electrical work by having sexual intercourse with the contractor still owes him \$377, a judge here has ruled.

According to Judge Ronald Hachey, of Ramsey County District Court, sexual intercourse did not constitute payment for the work because the act "was performed for the enjoyment of both parties."

Court records show that the electrical contractor told the woman—neither party was named—that he would do electrical work for her free because he and her husband were friends. After doing the work, the contractor learned that the couple had gotten divorced. He sent the woman a bill.

The contractor intimated, however, that he would be willing to "take it out in trade"—engage in sexual intercourse. This, the judge said, "she agreed to do." The woman subsequently received two bills for the work from the contractor's

wife, who handles his bookkeeping. When the bills were not paid, the contractor took the woman to court.

After hearing the evidence, Judge Hachey decided that the defendant should pay a portion of the contractor's bill—\$377—representing the cost of materials and labor, but not pay the part of the bill—an additional \$248—representing the contractor's profit.

In his decision, the judge said that he could not believe the defendant's assertion that "the whole deal was to be wiped out with one experience with sex."

He added that the defendant, who wore overalls and a man's shirt for her court appearance, "made little attempt to convince the court of the value of her personal services, if they were to be considered part of the evidence." Said Judge Hachey, "Her clothing covered her to such an extent that her assets, if any, were substantially hidden."

COMBINED NEWS SERVICES

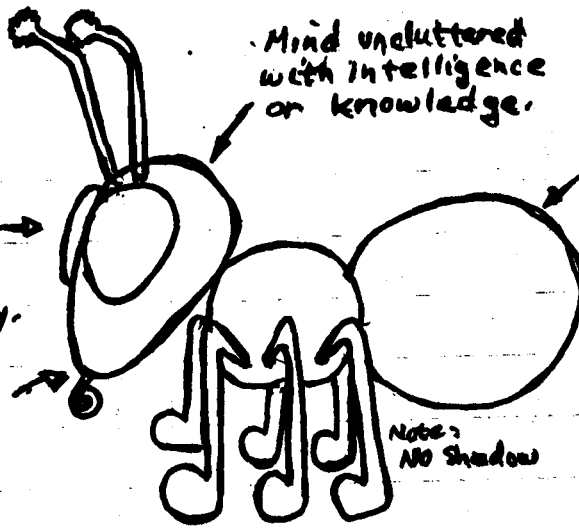
Sensitive antennae
for detecting most
trivial issues.

Huge single lens eyes
to enable close focus
from one direction only.

Tiny mouth for not
saying much.
(It is not true that
RG Ants make no
sounds!)

Mind uncluttered
with intelligence
or knowledge.

Bulbous buttocks
to allow long
periods of sitting
on issues.



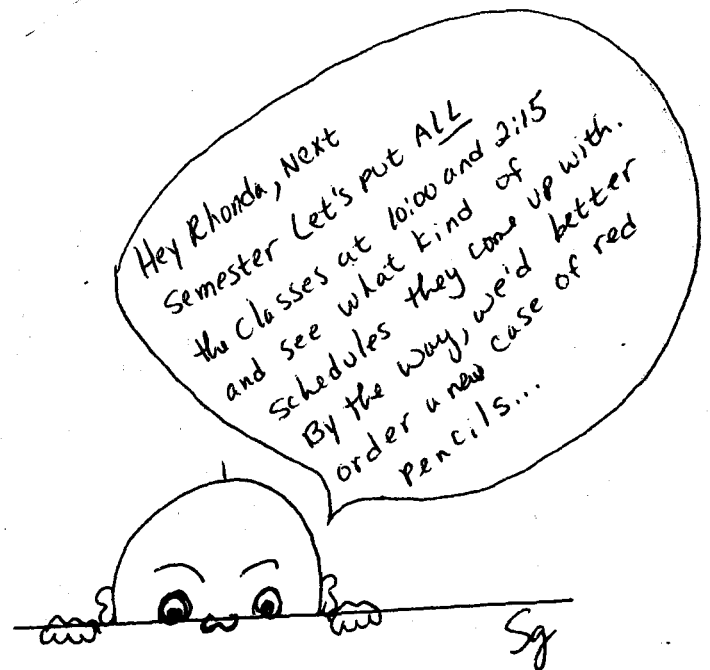
Powerful legs to allow
2. outrageously large
loads to be lifted with
no movement or.
b. extremely high
speeds with no load,
whatsoever.

R.G

Ant

erstwhile opponent
of the law review flea.

E. M.



ARGIE ANT

TRILOGY OF THE WHISTLE, PT. I

Adapted from "Tales of Rumor, J."

HEY, ARGIE!

ARGIE ANT!

WHAT'S HAPPENIN, OL' BUDDY? LONG TIME NO SEE!

?

MIKE!! YOU OLD PIRATE! IT HAS BEEN A LONG TIME YOU STILL IN SCHOOL HERE?

SURE... I'VE JUST BEEN K AND A BUSY, WHAT WITH LEGAL AID, CLINIC, SECTION 5, LAWYER'S GUILD... SAY WHATTAYA HAVE THERE?

OH, THIS? IT'S JUST A BOX OF SNACKER JACKS

WHAT DID YOU GET?

TWO "C+"s
A "B" AND
A "B+"

NOT GRADES, YOU NINNY, WHAT DID YOU GET IN THE BOX OF SNACKER JACKS

GEE, I DUNNO. LET'S LOOK

BUT DON'T YOU TAKE ANY OF THE PEANUTS

NOTE

HEY, NOT BAD! A WHISTLE! I DIDN'T KNOW THEY COULD PUT STUFF LIKE THAT IN SNACKER JACKS. I THOUGHT THE F.D.A. FOUND SMALL CHILDREN COULD SWALLOW THEM AND CHOKED TO DEATH

YEAH. THEY'RE ONLY SUPPOSE TO PUT IN LITTLE BOOKS AND STUFF SO KIDS CAN BE BORED TO DEATH. LET'S READ THE NOTE

TO WHOM IT MAY CONCERN
THIS IS THE WHISTLE OF THE REVOLUTION. IF BLOWN AT AN ALTITUDE OF 800 FT ABOVE SEA LEVEL, ON A CLEAR NIGHT, TEMP 0°C, WITHIN 300 MILES OF FOND DU LAC, WISCONSIN, U.S.A. THE WEAK WILL RISE UP THE ENSLAVED AND PEACE CAST OFF THEIR CHAINS, BUT I'D BLOW IT MYSELF, BUT I'M CHAINED TO THIS SNACKER JACK PACKER IN PADUCAH.
POWER TO THE PEOPLE
che

WOW!

NOTE

"WOW"? "WOW" DOESN'T COME CLOSE TO SAYING IT, ARGIE. THIS IS IT. THIS IS THE CHANCE OF A LIFETIME. THE CHANCE OF ALL TIME

SURE... IF IT ISN'T A JOKE

EVEN IF IT IS, WE HAFTA TRY. LOOK, WE'RE WITHIN 300 MILES OF FOND DULAC, AND THERE'S A MARKER ON THE LIBRARY STEPS THAT SAYS ITS 800 FT ABOVE SEA LEVEL..

... THE WEATHER REPORT SAYS IT IS SUPPOSED TO BE CLEAR FOR THE NEXT WEEK, AND TONIGHT'S LOW IS SUPPOSED TO BE 32°F*

YEAH, BUT I HAFTA GO INTO DETROIT THIS AFTERNOON TO LOOK FOR A JOB FOR THE SUMMER. I WON'T BE BACK 'TIL LATE.

NO PROB.. I'LL STOP BY YOUR PLACE AT MIDNIGHT

* NOTE: 32°F = 0°C

MIDNIGHT....

WHAT TH'!

BAM
BAM
BAM

HEY, ARGIE, WAKE UP, MAN. IT'S TIME TO BLOW YOUR WHISTLE!

TIME TO BLOW MY...? HUH...? OH YEAH... MIKE... C'MON IN. I FORGOT ALL ABOUT IT

LISTEN, MAN, I'M REALLY BEAT. COULDN'T WE DO THIS SOME OTHER TIME?

SOME OTHER TIME?? ARGIE, IT COULD BE MONTHS... YEARS

THINK OF THE PAIN AND THE SUFFERING WE CAN PREVENT... LOOK... I'LL DO IT... ALONE

WHERE IS IT?

IN MY PANTS POCKER

... SOMEWHERE IN THAT PILE OF DIRTY CLOTHES, ... HELP YOURSELF

ONE HOUR LATER...

GOT IT! HA, HAAA... BUT, DAMN, ARGIE, YOU REALLY OUGHTA WASH THAT STUFF

YEAH, I KNOW, MIKE, BUT I'M KINDA BUSY, YOU KNOW, PINBALL, TV, BEER...

RIGHT, WELL, I'LL SEE YA LATER... I'M OFF!

HOLD IT RIGHT THERE, BUG, YOU AIN'T GOIN' NOWHERE'S

UH OH

WHO IS THIS MAN?
WHAT DOES HE WANT?
WHO CARES?
FIND OUT NEXT TIME!

The Sin Bin



THE WEEKLY PENALTY BOX

presents:

**Read
This**
↓

the sin bin!

The Sin Bin this week jumps into the exciting world of sophisticated television broadcasting! (and we'll have no off-color cracks about what type of tackle you use, the type of stream being fished, what's being fished for with that kind of bait, or what rod or reel could handle the job.) (in fact, we'll have no off-color cracks about anything since this is supposed to be high quality television) The Weekly Sin Bin (a/k/a The Weekly Penalty Box) presents: "TO TELL THE TRUTH" [on a fortunately one time-basis] - or - little quickies we always knew but were afraid to say:

When you get out in that [so-called] "real" world, you will get questions like these ... in fact, as soon as you get out of first year and into some other courses like, for example, commercial transactions, you will be faced with similar questions, adequately combined with an appropriately quizzical expression of dismay and disbelief: the Bane of Sirs Greenohue!

Just after the individual refers to an escrow account, land lease, the

difference between a land contract and a purchase money mortgage, or [God Forbid] a condominium ... and you quite candidly reply in an adequately dumfounded fashion. (having never even so much as heard of these things in your first year property course), the individual will, [and this is a promise!] without fail, proclaim, "My God! [or other appropriate diety] Didn't you learn even that in your first year of property????!!!!!!?"

This all wouldn't be so bad if our first year property courses did mention something about real estate (I mean it does have some part in property)*; or if we were even allowed to take real estate law from the business school! (which of course, we aren't) [Oh come on now, you can't tell me that the business school won't even let you take real estate law.] (Sorry, chump. It's the truth. You're not allowed to take that course because you already had your first year property course where they taught you all that stuff.) [You've got to be kidding!] (Go ahead and try, I did.)

"To Tell The Truth" ... yes, that's a rather cute phrase for a lawyer to even consider. [even cuter for a law student to use it] There are situations in which the Code of Ethics requires lawyers to lie, mislead and/or give evasive answers. The real reason lawyers (as a whole) are considered shifty is not because they do this stuff, but because they sit around all day spouting truth, justice and the American Way and then go around and lie like the Dickens [is that anything like, "lie like the Nixons"?].

Speaking of ethics, I think it's about time to air [paper?] one of my pet peeves. (casting aside any thoughts of making any cheap jokes about the care or training of domestic or wild peeves, I will continue) It has come to the attention of the staff of the Sin Bin [that's a pompous way of saying "me"] that it is deemed to be unethical conduct, under the Code of Ethics, for a lawyer to be incompetent.

Well now, ... that seems, at first glance, kind of an OK idea, what with reliance, fitness for purpose, warranties and assumptions of competence an' all that ... but upon real examination, I think that it is really quite unfair!

Cont'd. on pg. 14

cont'd. from pg. 13

Maybe even Unconstitutional! Really, if I should want to go out and set up practice and be incompetant, that should be my own damn business!!! I mean as long as I am open about being incompetant, you know: post a disclaimer in my window, satisfactorily warn any prospective client that I am incompetant, call myself G. Burgess Allison, incompetant esquire, (inc. esq.), maybe even get a probate file as an incompetant and get a guardian - as long as I make sure that any client is not misled, then I think that it should be just between the client 'n me if I'm incompetant!!

If someone wants to hire me even if I'm incompetant, that should be our right!! What about restraint of free trade! Interstate commerce! The Commerce Clause! Article One of our United States Constitution! Bill of Rights!!! That's a violation of my constitutional rights!!!! I'M GONNA SUE THE BASTARDS !!!! !!!!

[Come on now, settle down] (goddam bunch 'a commie pink-o fags tryin' ta take away my right to pursuit of happiness)

Well, OK. I can see that it would be unethical to hold yourself out as competent and then be incompetant, but not if you specifically hold yourself out to be incompetant! [what if someone hires you and you do something right? Isn't that some kind of breach of warranty? What are the standards of reasonable incompetence?] Well ... I'll just have to make a disclaimer about that too.

Well, as long as it's To Tell The Truth day, I guess it's about time. For the benefit of anyone who doesn't realize that the lie is 3/4 of life, or that the only difference between a lie and life is an "f" (with all the appropriate four-letter word connotations) - that's why lawyers can be so successful in life ... they are the producers, refiners and retailers of lies - G. Burgess Allison did not graduate (yet)(I hope) and is still [unfortunately] your rather inillustrious author of this markedly homely column. All good lawyers have to be able to lie effectively and GBA was just practicing.

["inillustrious" ... that's about as easy to say as "earlierly alluded"]

"TO TELL THE TRUTH" (jumping to another subject) ... where is Yellow Dog? (my idol)[mine, too] It used to be pretty neat to hear his literary meanderings and grasp for his little nip sticks. Where are you? Are you gone forever from the sweet halls of Elrond; did you travel to distant Mordor or to fair Lorien where time does not pass; or did the Cynical Ringwraith grasp you and your hobbit friend by the throat?

"What kind of words are these to hear from Yellow Dog, whom white man fear? ...

"And the red sun sinks at last into the hills of gold and peace to this young warrior comes with a bullet hole."

- Indian Sunset
Madman Across the Water



DUMP TRUCK INTRODUCTION

The following article was written last November. I typed it up and then decided not to print it because it was too self-revealing. But a couple months have passed; I've read it over and it still makes sense to me. It might generate some discussion...and anyway it's a change of pace from a lecture on the glories of Bruce Springsteen.

cont'd. on pg. 15

DUMP TRUCK

"I NEED A DUMP TRUCK, BABY,
TO UNLOAD MY HEAD."--B. Dylan

by Larry Halperin

It was the best of times, it was the worst of times. It was a time of lightness, it was a time of darkness.

I'm taking "Law and Psychiatry" next semester, but I'm going to take a practice run on my own version of the mix today.

Four years ago at this time I was already working for George McGovern. That is, at the end of 1971, when he was favored by only 3% of the electorate, according to Gallup, I knew that he was the candidate for me. I began college the fall of '68, the same time Nixon entered the White House. After going through three years of watching Nixon do all he could to bring out the dark side of American life and three years of hearing hopeful, ideological, admittedly radical theorizing postulating a bright potential, I believed it was time for a major change. I was sure in November of 1971 that George McGovern the antiwar, egalitarian liberal would save the country from its own worst impulses. Therefore I was organizing and participating in the early effort to get McGovern better known in Massachusetts.

It was at that same time I had to decide what to do after college. Back "in those days," so unlike today, we hadn't been consumed with planning our future during the present. I really didn't know what I wanted to do, but I (naively?) believed in the popular idea that lawyers could work within the system to help right wrongs, adjust priorities, keep down defense spending and help the poor walk on water. So I applied to law school.

It was a half-hearted application process at best. Indeed, I ended up staying in Cambridge over Christmas to do the damn things in order to meet January 1 deadlines. And when the "returns" started coming in I (honestly) would barely look at them and stuff them in my desk for future reference. My ambivalent attitude toward law school never really solidified in any one direction. I drifted through the

summer after graduation a la Benjamin Bradock--doing absolutely nothing for 6 weeks and then selling vacuum cleaners door-to-door (Having told the employer that yes I was a Harvard graduate, but that I was interested in learning about the "real world.")

Anyway when August was ending, I still wasn't sure that being a lawyer was my goal, but I really didn't want to stay with the vacuum cleaners and I had nothing else to do. So I decided to come here-almost. On the drive from Chicago I kept changing my mind and once we actually turned around to go back to Illinois.

As everyone is undoubtedly aware of at this point, Michigan Law School is not really the place to be for someone who isn't willing to put forth a total effort. I could never "get into" school that first year. I didn't see any sign that the administration, professors or even students believed that the law could be used for beneficial social change. Sure I knew one had to get the basics; one had to become a lawyer before one could become a "good" lawyer-but the whole ethos of this place was antithetical to my beliefs at the time.

I stuck it out-but I literally packed my stuff twice before chickening out on leaving, and it was a woman friend that led me to stay second semester. There was never anything as exciting as finishing that first year. I resolved to either go away forever or just go away. I concluded that if the law was to be put to good advantage, there was a better chance of doing so in the government itself. Therefore, I decided to stop law school and go to the Institute of Public Policy Studies across the campus. I spent the next year there and got a masters in Public Policy--it was a program designed to train us to function effectively in the decision making processes of the government bureaucracy. And anyway it was good to be away from this place for a year.

With a new perspective I came back the fall of '74. Then I knew I wanted to be a lawyer, I believed that there was a chance to operate effectively in one of the government agencies or in one of the organizations like Common Cause.

(If you think I am making a long story long let's just say, Last year came and went.)

Now we come to the present and I come to the point. I will lay out my dilemma and you are free to sympathize, empathize, laugh, cry or ignore it. Everything is confused today. To begin on the large scale--whereas 4 years ago I was fervently behind George McGovern, today I am futilely looking for someone to be moderately in favor of. I consider myself a "radical liberal" but I honestly don't know if those type of solutions are appropriate anymore. Fred Harris, Birch Bayh, Mo Udall all make the kinds of sounds I guess I agree with, but I'm not sure that proposals of federally supplied jobs, national health care, less defense spending etc etc are really going to improve things. I'm so much up in the air now that sometimes Ronald Regan doesn't sound like a complete idiot. I'd like to say let's try a whole new and different approach, and there is no doubt Regan is "different." But I really know it'd be utterly impossible for me to support him. He doesn't possess the overt racism of Wallace, but sometimes I have to remind myself that Regan's proposals for cutting welfare, closing down the federal government, letting "local Government" decide educational policy amount to just covert racism and certainly a pernicious classism. He'd lower inflation no doubt--with a resulting gigantic increase in unemployment. I think he'd have an ability to consider unemployment in terms of "percents," but I'm afraid I still have the "bleeding heart liberal's" (cite: Jon Forman) deficiency of seeing the % in terms of millions of people, millions of lives destroyed. But even acknowledging this soft spot, I still don't know what the answers are anymore, and I certainly don't know who can implement the answers.

This "national scale" uncertainty comes down to a more personal level. Twenty years of education is ending for me in May. The last 7 years have moulded my mind in a certain fashion wherein I think Big Business is unmitigated evil; union leadership is not much better; government leaders are absolutely untrustworthy; due to the efforts of the powers that be the poor and the minorities will probably

never be able to get out of their current predicaments; and money should not be the prime motivating force of anyone's life. My last few years I've been operating on the assumption that I would be willing to devote myself to the cause of justice with a capital J when I get out of here. I mean I've been verbalizing certain ideas for years, but right now it's time to put up or shut up--to act or forever hold my peace.

When Bill Kunstler was here I gained a little more resolve. He recognized that few law students would take his recommended path (the road less traveled, but he said that it was important for some to go out immediately and work for social causes. He pointed out it's close to impossible to work for a straight firm "for a while" to "learn the ropes" and then go out and work for the people. Security and inertia will prevent all but the most adventurous from ever getting out. (Justice William Douglas spoke to law students here in the spring of '73 and he put the same idea into different words. He urged us all not to be so anxious to climb onto the "Golden Gravy Train.")

Well I hear it all, and my desire is there. But to be honest I don't know how to proceed. Exactly where can I make a difference; exactly how can I do something with the law to improve society as a whole. I don't want to do legal aid where you work on a case by case basis--helping people who certainly need help, but not getting to the root causes. And when facing the prospect of the long term, I have to consider what type of work will satisfy my intellectual desires. Would it really be worth 6 or 7 years of my time to work at the FTC to stop Geritol from advertising that it will cure iron poor blood? (A true story from Administrative Law.) Ralph Nader's representative came here and said they were going to 12 law schools to hire 3 people at \$8,000 a year. I'd be happy to live on that, but it's slim odds that I'll be one of the three. So what do you do?

If I get an offer from a regular corporate firm, how should I respond? Does one admit that the last 7 years have been self-deceptive jive and jump on that Train--or does one keep on looking for that possibly mythical job where you get enough \$ to keep body and soul together while satisfying your intellectual desires and your ethical commitments?

READ-ONLY MEMORIES

by
The Malevolent Memo Maker

The RG's Editor called me last week, to ask if I'd produce some innovative, outrageous, bittingly sarcastic, and hilariously funny words for his next issue. Instead, this is what he gets. (Personal to the Editor: Remember, it didn't cost you anything. Besides, it's your word against mine if you sue on the verbal contract--and I'll hire Pooley!). *(I've got Whit on my side.)*
Ed.

As for the title, it's a term of art in the real, computerized world (that is, everywhere except those last few bastions of ignorance, such as law). The term denotes a special type of memory unit, which can "remember" something when prodded hard enough by an electrical pulse. It's particularly appropriate here, as it resembles most law students; it has to be kicked in the rump before it remembers anything, it can handle only one idea at a time, and it will never learn anything new. The ideas which appear under this title are just like the computer's output: totally random, not particularly truthful, and guaranteed to piss off somebody. Sounds like my last memo.

Last Friday's dance/mixer/meatmarket was similar to the one last semester. It had the same bad beer, strange people, and music by the Medicare Seven (plus or minus two, depending on heart conditions). Again the same hopefuls showed up, looking for an eligible lawyer-type husband. Fortunately, our alert local constables acted to prevent a repetition of last semester's disaster, and placed waterproof covers over all fire hydrants and trees in the Law Club.

Let's make the next mixer a bit more honest. All it would take is for the bandleader to make a little pitch every few minutes. I can hear it now: "OK, law groupies, here we have a fine first-year specimen. Minimum annual salary at least \$30,000, and if he's lucky maybe as much as three or four million over his useful life. So what if he looks like a dork? You can put up with a lot of ugly for that much cash, ladies what am I bid?" If we're going to do it, let's get it right!

Know how to tell when you've really screwed up an exam? If the professor spends the full hour discussing a "good" paper, and with only three minutes to go finally gets to the point where you started your answer then it's time to check on that burger-flipping job at Mac's.

"You must learn to equivocate in response to any question, yet be able to frame your answers in such a manner that you may always look back and tell your clients, I told you so, but you wouldn't listen!"--Words of advice from a friendly lawyer.

One of our distinguished female colleagues told me she can always tell a guy's major when she's out cruising the local brew bins. "An engineer carries a calculator; a medical student carries a book on malpractice; and LS&A major carries a blank look; and a law student carries a copy of 49 Harv. L. Rev. 1035."

There's roughly a thousand students here. Every semester, each one is taxed twenty bucks by the LSSS for student activities and affairs. That's forty grand a year. Now I ask you, were the mixers really worth that much?

Speaking of student activities and affairs --I've had enough of the activities. When do the affairs start? Ladies, leave your names, phone numbers, and vital statistics (credit rating, cash on hand, and your highest bid) at the RG office. Bert Reynolds, eat your heart out!!

And my Senior Judge said I couldn't write! He just didn't know he'd found another Hemingway--Seymour, not Ernest.

Enough for this week. If any of you are offended, pissed off, or just plain nauseous, tell the RG Editor. Maybe he'll make this a continuing feature!

RG POLL

Last week's initial poll of the semester went off with but one hitch. The box containing the polls disappeared. Therefore there was no winner. So it's time to try again. Same rules as usual; this time (I hope) the entries will count.

SATURDAY:

Arizona St. ($2\frac{1}{2}$) at Texas El Paso
Vanderbilt ($3\frac{1}{2}$) at Auburn
Cincinnati at Memphis St. ($5\frac{1}{2}$)
Virginia ($1\frac{1}{2}$) at Clemson
Nebraska at Colorado ($3\frac{1}{2}$)
Dayton ($15\frac{1}{2}$) at Detroit
Xavier ($13\frac{1}{2}$) at DePaul
Duke ($10\frac{1}{2}$) at NC State
Kentucky at Florida ($7\frac{1}{2}$)
Fordham ($25\frac{1}{2}$) at Marquette
Georgetown at Seton Hall ($5\frac{1}{2}$)
Georgia ($4\frac{1}{2}$) at LSU
Washington at Hawaii ($2\frac{1}{2}$)
Michigan St. ($3\frac{1}{2}$) at Illinois
Indiana at Minnesota ($10\frac{1}{2}$)
Ohio St. ($12\frac{1}{2}$) at Iowa
Missouri at Iowa St. ($14\frac{1}{2}$)
Kansas at Oklahoma St. ($3\frac{1}{2}$)
Kansas St. at Oklahoma ($10\frac{1}{2}$)
LaSalle ($17\frac{1}{2}$) at Providence
Michigan at Purdue ($1\frac{1}{2}$)
Tennessee at Mississippi ($12\frac{1}{2}$)
Mississippi St. ($17\frac{1}{2}$) at Alabama
Louisville at New Mexico St. ($\frac{1}{2}$)
Northwestern at Wisconsin ($3\frac{1}{2}$)
UCLA at Notre Dame (EVEN)
Oregon St. at Oregon ($2\frac{1}{2}$)
Villanova v. Penn ($3\frac{1}{2}$)
St. John's at Princeton ($2\frac{1}{2}$)

SUNDAY:

Maryland ($3\frac{1}{2}$) at North Carolina

NAME: _____

TIEBREAKER: How many points will
Phil Hubbard score against Purdue?

Howie Bernstein, the BC Bettor.

RG RANKINGS:

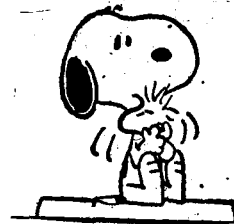
The poll only contains four pollsters this week, but next week should contain its full contingent of voters.

1. Indiana (3)
2. Marquette (1)
3. Maryland
4. Rutgers
5. Nevada Las Vegas
6. North Carolina
7. UCLA
8. Washington
9. St. John's
10. Tennessee
11. Alabama
12. North Carolina St.
13. Oregon St.
14. Wake Forest
15. Michigan
16. Cincinnati
17. Notre Dame
18. Missouri
19. Arizona St.
20. Purdue

OTHERS RECEIVING VOTES: Princeton,
Nebraska, West Texas St.

HAPPINESS IS...

MISERY IS...



MISERY IS...

- ...A brief due the day after spring break
- ...When the prof calls on people by row, and starts with the guy next to YOU
- ...A form-letter rejection from the firm you were really counting on
- ...Realizing that "Accounting for Law Students" is a prerequisite to courses you plan to take
- ...Having six classes on Monday
- ...Discovering that your new puppy mistook your property notes for newspaper

HAPPINESS IS...

...I've forgotten!